

Notice of Allowability

Application No.

10/088,889

Examiner

L. G. Lauchman

Applicant(s)

NAGAYOSHI ET AL.

Art Unit

2877

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Amendment filed 11/03/2004.
2. ☒ The allowed claim(s) is/are 10-21.
3. ☒ The drawings filed on 22 March 2002 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Allowable Subject Matter

Claims 10-21 are allowed.

The following is an examiner's statement of reasons for allowance:

The Applicants amended claims 10, 15, and 18, added new claims 20 and 21, and presented arguments in favor of existing claims, according to the Amendment received 11/03/2004. The Applicants demonstrated to the Examiners satisfaction, with respect to the double patenting rejection, that the reference of Nagayoshi (US 6,657,722) is not applicable to the present Applicants' invention.

As to Claim 10, the prior art of record taken along or in combination, fails to disclose or render obvious said transport means extending underneath the receiving tray, which runs through the transport path, and which is arranged to be able to locate the light receiving means fixed closely underneath the receiving tray running through the inspecting position, in combination with the rest of the limitations of the claim.

The dependent Claims 11-14, 16-18 are allowed by virtue of their dependence upon Claim 10.

As to Claim 15, the prior art of record taken along or in combination, fails to disclose or render obvious said light receiving means having an air blow hole arranged to blow in air from lateral direction toward the center of upper surface of light receiving window of lens hood of condenser lens located upwardly underneath the receiving tray, in combination with the rest of the limitations of the claim.

The dependent Claim 19 is allowed by virtue of its dependence upon Claim 15.

As to Claim 20, the prior art of record taken along or in combination, fails to disclose or render obvious said condenser lens provided with a lens hood arranged to secure a visual field on the object side of said condenser lens and a light receiving window which is made of transparent glass and disposed of the front side of said lens hood to form a dust-proof structure; and a dust-proof means arranged on the side of said transparent glass to blow air from the periphery thereof toward the center of said light receiving window, in combination with the rest of the limitations of the claim.

As to Claim 21, the prior art of record taken along or in combination, fails to disclose or render obvious means for increasing or decreasing the quantity of light projected by said large number of light projecting lamps of said projecting means by increasing or decreasing a number of light projecting lamps to be lighted up among said large number of light projecting lamps according to the size of the inspecting object, in combination with the rest of the limitations of the claim.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Papers related to this application may be submitted to Technology Center 2800 by facsimile transmission. Papers should be faxed to TC 2877 via the PTO Fax Center located in CP4-4C23. The faxing of such papers must conform with the notice published in the Official Gazette, 1096 OG 30 (November 15, 1989). The CP4 Fax Center number is (703) 872-9306.

If the Applicant wishes to send a Fax dealing with either a Proposed Amendment or for discussion for a phone interview then the fax should:


a) Contain either the statement "DRAFT" or "PROPOSED AMENDMENT" on the Fax Cover Sheet; and

b) Should be unsigned by the attorney or agent.

This will ensure that it will not be entered into the case and will be forwarded to the examiner as quickly as possible.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to L. G. Lauchman whose telephone number is (571) 272-2418. The examiner's normal work schedule is 8:00am to 4:30pm (EST), Monday through Friday. If attempts to reach examiner by the telephone are unsuccessful, the examiner's supervisor Gregory J. Toatley, Jr. can be reached on (571) 272-2059, ext. 77.

Any inquiry of a general nature or relating to the status of this application should be directed to the TC receptionist whose telephone number is (571) 272-1562.

A handwritten signature in black ink, appearing to read 'L. G. Lauchman', with a stylized flourish at the end.

L. G. Lauchman
Patent Examiner
Art Unit 2877

December 12, 2004